

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Pre-K-12 Education Committee

BILL: CS/CS/SB 1138

INTRODUCER: Committee on Pre-K – 12 Education, Transportation Committee and Senator Fasano

SUBJECT: Motor Vehicles

DATE: April 6, 2010

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	McManus	Meyer	TR	Fav/CS
2.	Brown	Matthews	ED	Fav/CS
3.			WM	
4.				
5.				
6.				

**Please see Section VIII. for Additional Information:**

- |                              |  |   |
|------------------------------|--|---|
| A. COMMITTEE SUBSTITUTE..... | <input checked="checked" type="checkbox"/> | Statement of Substantial Changes        |
| B. AMENDMENTS.....           | <input type="checkbox"/>                   | Technical amendments were recommended   |
|                              | <input type="checkbox"/>                   | Amendments were recommended             |
|                              | <input type="checkbox"/>                   | Significant amendments were recommended |

**I. Summary:**

This bill creates new options on motor vehicle registration and driver's license application forms for voluntary contributions to various organizations. This bill directs the Department of Highway Safety and Motor Vehicles (DHSMV) to include voluntary contribution boxes for the following:

- Blind Babies and Blind Youth Services (motor vehicle registration and renewal forms);
- Senior Vision Services (driver's license applications and license renewals and extensions);
- Arc of Florida (motor vehicle registration and renewal forms, as well as driver's license applications); and
- Ronald McDonald House Charities of Tampa Bay, Inc. (motor vehicle registration and renewal forms, as well as driver's license applications).

This bill substantially amends sections 320.02, 322.08, and 322.18, of the Florida Statutes.

## II. Present Situation:

### Driver's License Check-offs

Section 322.081, F.S., outlines the procedure for an organization to follow pre-legislative review for a new voluntary contribution option on a driver's license application. To satisfy initial requirements, the organization must submit to the DHSMV at least 90 days before regular legislative session:

- A request for the specific voluntary contribution, with a general description;
- An application fee of up to \$10,000, not funded through state dollars, to defray the DHSMV's costs to review the application and develop the check-off; and
- A short and long-term marketing strategy and financial analysis outlining anticipated revenues and planned expenditures of the collected revenues.

The DHSMV must discontinue the check-off if less than \$25,000 has been contributed by the end of the fifth year, or if less than \$25,000 is contributed during any subsequent 5-year period.<sup>1</sup>

Pursuant to s. 322.08(7), F.S., the driver's license or duplicate application form currently includes the following check-offs, except for Prevent Blindness Florida and Family First, which are authorized for driver's license renewal forms pursuant to ss. 322.18(9)(a) and (b), F.S., respectively as summarized below:<sup>2</sup>

Driver's License Check-offs/Voluntary Contribution	Statutory Authorization	Effective Date	Revenue Collected w/in last 5 years	Total Revenue Collected
Organ & Tissue Donor Education (\$1)	1995-423, L.O.F.	7/1/1995	\$402,603	\$1,091,209
Prevent Blindness Florida (\$1)	1995-333, L.O.F.	10/01/1995	\$2,092,878	\$3,208,017
Florida Council of the Blind (\$1)	1996-413, L.O.F.	6/5/1996	\$185,343	\$482,340
Hearing Research Institute (\$2)	2000-313, L.O.F.	10/1/2000	\$185,053	\$320,988
Juvenile Diabetes Foundation International (\$1)	2000-313, L.O.F.	10/1/2000	\$592,835	\$1,017,278
Children's Hearing Help Fund (\$1)	2005-68, L.O.F.	7/1/2005	\$260,763	\$260,763
Family First (\$1)	2008-102, L.O.F.	10/1/2008	\$150,047	\$150,047
Stop Heart Disease (\$1)	2009-100, L.O.F.	10/1/2009	\$0	\$0
<b>Total</b>			<b>\$3,869,522</b>	<b>\$6,530,642</b>

<sup>1</sup> Section 322.081(4)(a), F.S.

<sup>2</sup> Senate Interim Report 2010-131, *Review of the Requirements for Establishing Specialty License Plates and Registration and Driver's License Check-Offs*, October 2009.

**Motor Vehicle Registration Check-offs**

Section 320.023, F.S., outlines the procedure for an organization to follow pre-legislative review for a new voluntary contribution fee on a motor vehicle registration application. To satisfy initial requirements, the organization must submit to the DHSMV at least 90 days before regular legislative session:

- A request for the specific voluntary contribution, with a general description;
- An application fee of up to \$10,000, not funded through state dollars, to defray the DHSMV's costs to review the application and develop the check-off; and
- A short and long-term marketing strategy and financial analysis outlining anticipated revenues and planned expenditures of the collected revenues.

DHSMV must discontinue the check-off if less than \$25,000 has been contributed by the end of the fifth year, or if less than \$25,000 is contributed during any subsequent five-year period.

<b>Registration Check-offs/Voluntary Contribution</b>	<b>Statutory Authorization</b>	<b>Effective Date</b>	<b>Revenue Collected w/in last 5 years</b>	<b>Total Revenue Collected</b>
*Save the Manatee TF (\$2 or \$5)	1984-338, L.O.F.	7/1/1985	\$478,310	\$3,191,012
Nongame Wildlife Trust Fund (\$1)	1984-194, L.O.F.	10/1/1984	\$210,421	\$19,244,868
*Marine Resources Conservation TF (\$5) Turtle Sticker is issued	1991-215, L.O.F.	7/1/1992	\$422,228	\$1,067,533
Organ & Tissue Donor Education (\$1)	95-423, L.O.F.	7/1/1995	\$284,239	\$586,143
Highway Safety Operating Trust Fund, used to purchase child safety seats (\$2)	1995-333, L.O.F.	10/1/1995	\$253,237	\$649,751
Transportation Disadvantaged Trust Fund (\$1)	1994-306, L.O.F.	7/1/1994	\$155,605	\$362,242
Prevent Blindness Florida (\$1)	1997-300, L.O.F.	10/1/1997	\$567,325	\$968,679
Florida Mothers Against Drunk Driving, Inc. (unspecified \$)	1999-233, L.O.F.	7/1/1999	\$350,902	\$542,973
Southeastern Guide Dogs, Inc. (\$1)	2005-254, L.O.F.	7/1/2005	\$225,256	\$225,256
Miami Heart Research Institute, Inc. (\$1)	2006-44, L.O.F.	7/1/2006	\$98,465	\$98,465
Children's Hearing Help Fund (\$1)	2007-50, L.O.F.	10/1/2007	\$63,886	\$63,886
State Homes for Veterans Trust Fund (\$1)	2008-87, L.O.F.	10/1/2008	\$82,806	\$82,806
Family First (\$1)	2008-102, L.O.F.	10/1/2008	\$16,365	\$16,365 <sup>3</sup>
Florida Sheriffs Youth Ranches, Inc. (\$1)	2009-110, L.O.F.	7/1/2009	\$176	\$176
<b>Total</b>			<b>\$3,209,221</b>	<b>\$27,100,155</b>

<sup>3</sup> *Id.*

Statutory authority for voluntary contribution check-offs for the organizations listed in the chart above is provided in ss. 320.02, 320.08047, and 328.72, F.S.<sup>4</sup>

**The Florida Association for Agencies Serving the Blind (FAASB)**

The FAASB is a statewide nonprofit organization that provides direct support services to visually impaired and blind Floridians through local nonprofit member agencies.<sup>5</sup>

**The Arc of Florida**

The Arc of Florida lists on its website that it advocates for the rights and full participation of all children and adults with intellectual and developmental disabilities. The Arc of Florida indicates that it works with local, state, and national partners in fulfilling its mission.<sup>6</sup>

**Ronald McDonald House Charities**

Ronald McDonald House Charities lists as its mission the improvement of health and wellbeing of children. In addition to the Ronald McDonald House program, which provides affordable shelter for family members during a child's hospital stay, the charity chapters support a variety of other programs, which may include a Ronald McDonald Family Room, a Ronald McDonald Care Mobile, and college scholarships for high school students.<sup>7</sup>

**III. Effect of Proposed Changes:**

This bill would add new options for voluntary contributions to driver's license and motor vehicle registration forms. A voluntary contribution option would be provided for the Florida Babies and Blind Youth Services, the Arc of Florida, and the Ronald McDonald House Charities of Tampa Bay, Inc. According to the DHSMV, all of these organizations have met the pre-approval requirement for legislative review.

**IV. Constitutional Issues:**

**A. Municipality/County Mandates Restrictions:**

None.

**B. Public Records/Open Meetings Issues:**

None.

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<sup>4</sup> Specifically, s. 320.02(8), F.S., provides a voluntary contribution option for the Nongame Wildlife Trust Fund. Section 320.02(14), F.S., provides a contribution option for the Transportation Disadvantaged Trust Fund. Sections 320.02(15)(a) through (h), F.S., provide contribution options for Prevent Blindness Florida, Florida Mothers Against Drunk Driving, Southeastern Guide Dogs, Stop Heart Disease, Children's Hearing Health Fund, State Homes for Veterans Trust Fund, Family First, and the Florida Sheriffs Youth Ranches, respectively. Section 320.08047, F.S., provides a contribution option for the Health Care Trust Fund for organ and tissue donor education and maintenance of the donor registry. Section 328.72(11), F.S., provides a contribution option for the Save the Manatee Trust Fund to provide manatee and marine mammal protection and recovery efforts. Section 328.72(16), F.S., provides a contribution option on vessel registrations for the Marine Resources Conservation Trust Fund for marine turtle protection, research, and recovery efforts.

<sup>5</sup> Website: <http://faasb.com>; Last checked March 29, 2010.

<sup>6</sup> Website: <http://www.arcflorida.org>; Last checked March 29, 2010.

<sup>7</sup> Website: <http://rmhc.org>; Last checked March 29, 2010.

C. Trust Funds Restrictions:

None.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The organizations identified in the bill will benefit from contributions made through these various driver's license and motor vehicle application forms. Fiscal impact regarding monies generated through public contribution is unknown and cannot be estimated.

C. Government Sector Impact:

The Florida Association of Agencies Serving the Blind, Inc., has paid an application fee of \$10,000 each for motor vehicle registrations and driver's license applications, for a total of \$20,000, to defray DHSMV's costs for reviewing the application and developing the check-off.

The Arc of Florida has paid an application fee of \$10,000 for motor vehicle registration applications to defray DHSMV's costs for reviewing the application and developing the check-off.

Ronald McDonald House Charities of Tampa Bay, Inc., has paid an application fee of \$10,000 each for motor vehicle registrations and driver's license applications, for a total of \$20,000, to defray DHSMV's costs for reviewing the application and developing the check-off.

Therefore, the Highway Safety Operating Trust Fund has received \$50,000 in revenues from application fees, which, should this bill pass, would be expended in programming costs in the same amount, through the Highway Safety Operating Trust Fund, for a zero net gain or loss of state revenue.

The Department of Education indicates that neither the Division of Blind Services nor the Department expects a fiscal impact from this bill.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:**

- A. **Committee Substitute – Statement of Substantial Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Education Pre-K – 12 Committee on April 6, 2010:**

This committee substitute:

- Clarifies that donations to ARC are for developmental disabilities (on the form itself);
- Adds voluntary contribution option for ARC to driver's license forms; and
- Amends effective date from July 1, 2010 to October 1, 2010.

**CS by Transportation on March 3, 2010:**

Amendment 108314 adds a voluntary check-off for \$1 on motor vehicle application forms for the Arc of Florida.

Amendment 207206 adds a voluntary check-off for \$1 on motor vehicle application forms and all driver's license application forms for Ronald McDonald House Charities of Tampa Bay, Inc.

- B. **Amendments:**

None.